

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ANTHONY PICKETT,

Plaintiff,

v.

OFFICER SMITH, *et al.*,

Defendants.

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CIVIL ACTION 08-0033-WS-B

ORDER

This cause is before the Court on plaintiff's Motion for Extension of Time (doc. 7). On February 13, 2008, Magistrate Judge Bivins entered a Report and Recommendation (doc. 6) recommending that this action be transferred to the United States District Court for the Middle District of Alabama because defendants are located in the Middle District of Alabama and all events giving rise to plaintiff's claims are alleged to have occurred in the Middle District, such that venue is lacking in this District. Plaintiff now seeks a 90-day extension of the 10-day period for objections authorized by 28 U.S.C. § 636(b)(1). Upon consideration of all matters presented, the Court finds that the requested 90-day enlargement is excessive given the straightforward, non-dispositive issue presented in the Report and Recommendation. If plaintiff has reason to believe that venue is proper in this District Court, then surely a 30-day enlargement will be more than adequate to allow him to investigate and present any argument he may have on that narrow question. Accordingly, plaintiff's Motion for Extension is **granted in part** and **denied in part**. Plaintiff will be allowed until **March 31, 2008**, to file an objection to the Report and Recommendation of the Magistrate Judge (doc. 6).

DONE and **ORDERED** this 25th day of February, 2008.

s/ WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE